

CHAPTER 9 DISPOSAL OF CERTAIN BODY WASTES

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900 PRIVIES AND WATERCLOSETS

- 900.1** No person shall in the District of Columbia deposit or store any human excreta or body wastes other than in a properly constructed privy or watercloset.
- 900.2** No system or method for the disposal of human excreta of body wastes, other than a water-closet connected with a public sewer, shall be installed or maintained, except as otherwise specifically permitted in this chapter and in accordance with the provisions of this chapter.
- 900.3** All waterclosets shall be furnished with a supply of running water adequate for flushing purposes, and shall be maintained so as not to endanger the public health or otherwise create a nuisance.
- 900.4** [Repealed] D.C. Law 6-95, 33 DCR 594 (January 31, 1986).

AUTHORITY: Unless otherwise noted, the authority for this chapter is An Act approved April 22, 1940, 54 Stat. 155, D.C. Code §6-601 *et seq.* (1995 Repl. Vol.); §412 of the District of Columbia Self-Government and Governmental Reorganization Act, 87Stat. 790, Pub.L. 93-198, D.C. Code §1-227(a) (1992 Repl. Vol.).

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944, 8 DCRR §§C-320 and C-3110, Health Regulations Supplement; as amended by §17 of the Wastewater System Regulation Amendment Act of 1985, D.C. Law 6-95, 33 DCR 577, 594 (January 31, 1986).

901 SEPTIC TANK AND SUBSOIL DISPOSAL SYSTEMS

- 901.1** Where no public sewer was, within a reasonable time, reasonably available while a septic tank was legitimately constructed, the septic tank may continue to be used so long as the use and the maintenance of the tank complies with both the *D.C. Plumbing Code* and the Wastewater System Regulation Amendment Act of 1985, unless the Health Officer finds the following:

- (a) That the local soil conditions will prevent the sanitary operation of the system;
- (b) That the water supply is not adequate to permit the sanitary operation of the system;
- (c) That the operation of the system will pollute a stream, pond, lake, or other body of water or contaminate a water supply, pool, or bathing place; or
- (d) That the operation of the system will endanger the public health or otherwise create a nuisance.

901.2 The use of septic tanks and subsoil sewage disposal systems shall comply with both the *D.C. Plumbing Code* and the Wastewater System Regulation Amendment Act of 1985, and other methods of disposal shall not only comply with those provisions, but shall also be maintained without endangering the public health or otherwise creating a nuisance.

SOURCE: Section 17(b) of the Wastewater System Regulation Amendment Act of 1985, D.C. Law 6-95, 33 DCR 577, 594 (January 31, 1986).

HISTORICAL NOTE: Prior to January 31, 1986, the Board of Commissioners issued C.O. No. 300,417/2 (August 3, 1944); 8 DCRR §§ C-3211 and C-3112, Health Regulations Supplement.

EDITOR'S NOTE: **EDITOR'S NOTE:** The Plumbing Code referred to in this section has been superseded by D.C. Law 6-216, Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987. Section 12 of D.C. Law 6-216 provides that the construction regulations existing prior to March 21, 1987, remain in effect for projects having reached specified stages of completion. D.C. Law 6-216 adopted the 1984 National BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes. Effective November 27, 1992 (39 DCR 8665), the 1984 BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes were superseded by the adoption of the 1990 BOCA Codes, and the 1992 D.C. Supplement to the BOCA Codes.

902 EARTH PIT PRIVY PERMITS

902.1 No person shall install or continue to use earth-pit privies in the District of Columbia.

SOURCE: Section 17(d) of the Wastewater System Regulation Act of 1985, D.C. Law 6-95, 33 DCR 577, 594 (January 31, 1986).

903 SEPTIC TANK PERMITS

903.1 Each application for the construction and maintenance of a septic tank and subsoil sewage disposal system shall be made in writing on a blank form furnished by the Department and shall be addressed to the Director

903.2 Each application form shall specify the following:

- (a) The parcel or lot and square numbers;
- (b) The house number and street; and
- (c) The type and occupancy of the building or premises to be served.

- 903.3 Each application form shall be executed in triplicate, and each copy shall be accompanied by a complete set of detailed working plans of the proposed system and a plat of the property showing the buildings and system located on the property correct to scale.
- 903.4 The Director shall determine whether a public sewer is or will, within a reasonable time, be reasonably available to the property.
- 903.5 No permit shall be issued until the following matters have been determined and certified, in the manner determined by the Director:
- (a) That a public sewer is not and will not, within a reasonable time, be reasonably available to the property; and
 - (b) That the proposed septic tank and subsoil sewage disposal system complies with the *D.C. Plumbing Code*.
- 903.6 No permit shall be issued if the Director determines that any of the following conditions apply:
- (a) The local soil conditions will prevent the sanitary operation of the system;
 - (b) The water supply is not adequate to permit the sanitary operation of the system;
 - (c) The operation of the system will pollute a stream, pond, lake, or other body of water or contaminate a water supply, pool, or bathing place; or
 - (d) The operation of the system will endanger the public health or otherwise create a nuisance.
- 903.7 The permit for the construction and maintenance of a septic tank and subsoil sewage disposal system shall be affixed in a conspicuous place in the building on the premises and shall remain in that place.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944; 8 DCRR §C-3311, Health Regulations Supplement.

EDITOR'S NOTE: EDITOR'S NOTE: The Plumbing Code referred to in this section has been superseded by D.C. Law 6-216, Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987. Section 12 of D.C. Law 6-216 provides that the construction regulations existing prior to March 21, 1987, remain in effect for projects having reached specified stages of completion. D.C. Law 6-216 adopted the 1984 National BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes. Effective November 27, 1992 (39 DCR 8665), the 1984 BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes were superseded by the adoption of the 1990 BOCA Codes, and the 1992 D.C. Supplement to the BOCA Codes.

904 PERMITS FOR OTHER METHODS OF DISPOSAL

- 904.1 Each application for the construction and maintenance of a method for the disposal of human excreta or body wastes other than by an earth-pit privy or a septic tank and subsoil sewage disposal system shall be made in writing on a blank form furnished by and filed with the Department.

- 904.2 The application form shall specify the following:
- (a) The parcel or lot and square numbers;
 - (b) The house number and street; and
 - (c) The type and occupancy of the building or premises to be served.
- 904.3 The form shall be executed in duplicate, and each copy shall be accompanied by a complete set of detailed working plans of the method proposed.
- 904.4 The Director shall determine whether the method proposed is to be upon an original lot or a subdivisional lot situated on a street where there is a public sewer and watermain available for the use of that lot.
- 904.5 No permit shall be issued until the Director is satisfied that the method can be maintained without endangering the public health or otherwise creating a nuisance.
- 904.6 The permit for the maintenance of the disposal method shall be issued without cost.
- 904.7 The permit shall be affixed in a conspicuous place on the inside of the privy, outhouse building, or other place designated by the Director, and shall remain in that place.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944, 8 DCRR §C-3312, Health Regulations Supplement.

905 ADDITIONAL REQUIREMENTS FOR DISPOSAL SYSTEMS

- 905.1 Nothing contained in this chapter shall be construed as relieving the applicant of a duty to comply with the provisions of the *D.C. Building Code*.
- 905.2 Every method or system for the reception, disposition, or storage of human excreta or body wastes (either temporarily or permanently) shall be constructed and maintained in a manner which conforms at all times with the requirements of this section.
- 905.3 The receptacle for receiving and storing human excreta or body wastes shall be fly-tight, and shall be constructed in a manner and of material which will afford reasonable assurance of the following:
- (a) That the receptacle will remain fly-tight under ordinary conditions of use;
 - (b) That the receptacle will not deteriorate rapidly;
 - (c) That the receptacle will provide adequate capacity;

- (d) That the receptacle will facilitate maintenance in a satisfactory manner under ordinary conditions of use; and
- (e) That the receptacle will be convenient and accessible to use.

905.4 The receptacle shall be located to prevent the following:

- (a) Pollution of a public or private water supply;
- (b) Pollution of a pond, pool, bathing place, lake, or stream;
- (c) Overflow of the contents to the surrounding ground; and
- (d) Flow of surface water into the receptacle.

905.5 If scavenger service is necessary, the receptacle shall be convenient and accessible for the rendering of that service.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944, 8 DCRR §§C-340, C-3310, C-3311 and C-3312, Health Regulations Supplement.

EDITOR'S NOTE: The Building Code referred to in this section has been superseded by D.C. Law 6-216, Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987. Section 12 of D.C. Law 6-216 provides that the construction regulations existing prior to March 21, 1987, remain in effect for projects having reached specified stages of completion. D.C. Law 6-216 adopted the 1984 National BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes. Effective November 27, 1992 (39 DCR 8665), the 1984 BOCA Codes, and the 1985 D.C. Supplement to the National BOCA Codes were superseded by the adoption of the 1990 BOCA Codes, and the 1992 D.C. Supplement to the BOCA Codes.

906 [REPEALED] D.C. Law 6-95, 33 DCR 577, 595 (January 31, 1986).

907 MAINTENANCE OF DISPOSAL SYSTEMS

- 907.1 Each method for the reception, disposition, or storage, either temporarily or permanently, of human excreta or body wastes which is not connected with a sewerage system or with a properly installed and operated sewage disposal system shall be maintained in accordance with this section.
- 907.2 When a person discontinues the use of an earth-pit privy according to §7(g) of the Wastewater System Regulation Amendment Act of 1985 and according to §902.1, the mound around the existing pit shall be leveled and the pit contents shall be buried with an earth covering of at least twelve inches (12 in.) in thickness.
- 907.3 For the elimination of a privy which the Wastewater System Regulation Amendment Act of 1985 or §902.1 outlaws, the removal of the privy, the disposal of the excreta, and the filling of the pit shall be done without overflowing and without creating an unsanitary condition.

- 907.4 For other privies or outhouses, the receptacle containing the excreta shall be emptied at sufficiently frequent intervals to prevent overflowing or the creation of an unsanitary condition.
- 907.5 The receptacle shall be maintained in good repair to prevent leakage of the contents to the surrounding ground or onto floor or other portion of the privy structure.
- 907.6 When an earth-pit privy must be moved, in compliance with §907.2, the floor and building may be moved to the new location. The mound around the existing pit shall be leveled and the pit contents buried with an earth covering of at least twelve inches (12 in.) in thickness.
- 907.7 In the case of other types of privies or outhouses, the receptacle shall be emptied at sufficiently frequent intervals to prevent overflowing or creation of an insanitary condition. The receptacle shall be maintained in good repair to prevent leakage of the contents to the surrounding ground or onto the floor or other portions of the privy structure.
- 907.8 The seat, floor, and ground immediately surrounding a privy or outhouse shall be kept clean at all times. A vent, if installed, shall be maintained in good repair and free from obstructions at all times.
- 907.9 Seat covers shall be kept closed when the facility is not in use.
- 907.10 Bottles, broken glass, tin cans, brick bats, sticks, garbage, ashes, dirt, water, and other similar kinds of waste or liquids shall not be deposited in box or can privies or other outhouses where scavenger service is to be furnished by the District of Columbia. Bottles, broken glass, tin cans, brick bats, sticks, garbage, ashes, dirt, water and other similar kinds of waste or liquids should not be thrown into earth-pits or tanks.
- 907.11 Chemical closets shall be maintained at sufficient caustic concentrations that septic action does not begin.
- 907.12 Disinfectants, lime, deodorants, or other chemicals shall not be used in earth-pits, septic tank privies or septic toilets. Types of paper which do not readily disintegrate should be avoided.
- 907.13 Enough water shall be added to the septic tank privy or septic toilet each day to keep the water up to the level of the overflow. The water added should also be used to keep the drop tube clean.
- 907.14 Privies, outhouses, or other methods or systems for the storing or disposal of human excreta or body wastes shall be free from rodents and rodent harborages.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944, 8 DCRR §§C-360, C-3610 through C-3616, Health Regulations Supplement; as amended by §17(f) of the Wastewater System Regulation Amendment Act of 1985, D.C. Law 6-95, 33 DCR 577, 594 (January 31, 1986).

908 DISPOSAL OF HUMAN EXCRETA

- 908.1 All human excreta or body wastes removed from any privy or outhouses shall be handled, transported, stored, and disposed of by an authorized scavenger or by the District government.
- 908.2 Authorization can be obtained by making application in writing to the Director and demonstrating an ability to perform the work in accordance with the requirements of this section.
- 908.3 The handling, transportation, storage and disposal of all human excreta or body wastes removed from any privy or outhouse shall be carried out in a sanitary manner which does not endanger the public health or otherwise create a nuisance.
- 908.4 The contents of privies or outhouses must be quickly and skillfully transferred by means of portable fly-tight containers or suitable suction pumps and hose to a transportation container on the scavenger vehicle.
- 908.5 The transportation container shall be tightly closed, and shall be made absolutely fly-tight immediately after the contents of the privy have been transferred. If portable containers are used, they shall be kept absolutely fly-tight during the process of transportation from the privy or outhouse to the scavenger vehicle.
- 908.6 If suction pumps and hose are used, they shall be handled to prevent flies from coming in contact with any soiled portions or parts.
- 908.7 Transportation containers on scavenger vehicles shall be capable of being made fly-tight during the process of transportation to the disposal site.
- 908.8 All vehicles used for the collection and transportation of human excreta or body wastes shall be so constructed as to carry the fly-tight transportation container as well as any portable containers, pumps, hose, tools, implements or apparatus used, entirely within a covered and fly-tight enclosure.
- 908.9 Any human excreta or body waste dropped or spilled in the process of collection or transportation shall be carefully taken up and the place or places where the material was dropped or spilled shall be well cleaned and disinfected.
- 908.10 All human excreta or body wastes shall be transported and discharged into the sewerage system by the contractor at a point designated by the Director.
- 908.11 All vehicles, tools and equipment used shall be kept in a clean and sanitary condition at all times.
- 908.12 At the end of each day's work, all portable containers transportation containers, suction pumps and hose and other tools must be carefully washed and disinfected, and shall not again be used until in a clean and sanitary condition.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944, 8 DCRR §§C-370, C-3310 through C-3313, Health Regulations Supplement.

909 DISCONTINUANCE OF DISPOSAL SYSTEM OR DISPOSAL ACTIVITY

- 909.1 Whenever a septic tank and sub-soil sewage disposal system is discontinued, the system shall be thoroughly and carefully disconnected, the system from the plumbing system and the septic tank shall be filled and covered over in a workmanlike manner.
- 909.2 Whenever any earth pit privy is discontinued, the pit shall be filled in a workmanlike manner as provided in §907.
- 909.3 Whenever any other privy, outhouse, method or system for storing or disposal of human excreta or body wastes is discontinued, all excreta and body wastes shall be disposed of as provided in this chapter.
- 909.4 All boxes, cans and receptacles used for the reception, storage, or disposal of any human excreta or body wastes from any discontinued privy, outhouse, or other method or system of disposal, shall be disposed of in a manner that does not endanger the public health or otherwise create a nuisance.
- 909.5 The superstructure from any discontinued privy, outhouse, method, or system for storing or disposal of any human excreta or body wastes shall be demolished and any portion which may have come in contact with any human excreta or body wastes shall be disposed of in a manner that does not endanger the public health or otherwise constitute a nuisance.

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944; 8 DCRR §§C-3310 - C-3313, Health Regulations Supplement.

910 PERMITS AND ENFORCEMENT

- 910.1 Temporary permits may be issued by the Director for the construction and maintenance of sanitary earth-pit privies or other types that the Director may approve for use during emergencies, during any and all kinds of public gatherings, and for use by workers on construction work until a water flush system of sewage disposal can be installed.
- 910.2 Temporary privies or other methods shall be installed and maintained in accordance with this chapter, except that cribbing of earth-pits will not be required when the soil is such that the sides of the pit will support the sills, floors, and superstructure of the building without caving during the period in which the privy is maintained.
- 910.3 If a privy or septic tank and subsoil sewage disposal system or other method is being maintained in a manner which endangers the public health or otherwise creates a nuisance, or is maintained in violation of this chapter, the permit may be revoked.
- 910.4 Permits issued for the maintenance of privies and septic tanks and subsoil sewage disposal systems or other methods may be revoked by the Director after the permittee has been given an opportunity to be heard.

910.5 Penalties for violations of this chapter shall be in accordance with D.C. Code §6-604 (1995 Repl. Vol.).

SOURCE: Commissioners' Order No. 300,417/2, dated August 3, 1944; 8 DCRR §§C-3310 and C-3311, Health Regulations Supplement.

